

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**SALVADOR BAEZ,**

**Defendant.**

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**CASE NO. 8:05CR47**

**MEMORANDUM AND ORDER**

This matter is before the court on a Report and Recommendation (Filing No. 18) of a magistrate judge recommending that I accept the defendant's plea of guilty. There are no objections to the Report and Recommendation. Pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 11.2(d), the court has conducted a de novo review of the record.

After careful review,

IT IS ORDERED:

1. The Report and Recommendation (Filing No. 18) is adopted.
  2. The defendant is found guilty. The plea is accepted. The court finds that the plea of guilty is knowing, intelligent, voluntary, and that a factual basis exists for the plea.
  3. The court accepts the plea agreement with the understanding that the court is not bound by the parties' stipulations, but may with the aid of the presentence report, determine the facts relevant to sentencing.
  4. This case shall proceed to sentencing.
- DATED this 19th day of May, 2005.

BY THE COURT:

s/ Joseph F. Bataillon  
Joseph F. Bataillon  
United States District Judge